

**JUDGE JOHN MCADAM MOTT—STANDING ORDER
SUPPLEMENT TO THE GENERAL ORDER FOR CIVIL CASES ASSIGNED TO
CALENDAR II¹**

READ THIS ORDER CAREFULLY. IT CONTROLS THIS CASE.

To ensure that this case is resolved fairly and without undue cost or delay, the Court directs that all parties familiarize themselves with the District of Columbia Code, the District of Columbia Superior Court Rules of Civil Procedure (“Rules”) and the Standing or Administrative Orders of this Court, which control all matters on this calendar.

In order to administer this case in a manner consistent with the highest quality of justice, it is **ORDERED** that the parties comply with the following requirements:

I. SELF-REPRESENTED (*PRO SE*) LITIGANTS

While the Court recognizes that *pro se* litigants may not be well-versed in court rules and the rules of civil procedure, it none-the-less directs that self represented parties comply with the rules of this court, including, but not limited to, those laid out in this Order. An on-line copy of the Rules of Civil Procedure is available at:

http://www.dccourts.gov/dccourts/superior/admin_orders/rules.jsp.

In addition, the Court has lists of *pro bono* (free) attorneys, student attorneys, and clinics available for all *pro se* litigants who seek to gain counsel.

Pro se plaintiffs who do not comply with discovery requests, respond to motions, or participate in preparing a Joint Pretrial Statement may be sanctioned or have their case dismissed in accordance with Rule 41. *Pro se* defendants who do not comply with the rules and procedures of the Court may be sanctioned or found in default, and a judgment may be entered against them.

¹ Revised September 30, 2015.

II. COMMUNICATIONS WITH CHAMBERS

Except as authorized in this Order, **the parties may not contact chambers by telephone.** However, if extraordinary circumstances or emergencies require it, parties should contact chambers jointly via conference call to avoid *ex parte* communications. Chambers may not and will not provide legal advice of any kind.

III. MOTIONS FOR EXTENSION OF TIME

When good cause is present, the Court will consider motions for extension of time that (1) are filed at least four business days prior to the deadline the motion is seeking to extend and (2) include:

- a. the number of previous extensions of time granted;
- b. the good cause supporting the motion;
- c. a statement of the effect that the granting of the motion will have on existing deadlines;
- d. for a motion that seeks to extend the deadline of a dispositive motion, suggested deadlines (reached in consultation with the opposing party) for the filing of the opposition and reply; and
- e. a statement of the opposing party's position on the motion (note: the title of the motion should indicate whether it is opposed or unopposed).

IV. MOTIONS TO RESCHEDULE A HEARING

When good cause is present the Court will consider motions to reschedule that:

- a. state the good cause supporting the motion;
- b. state the opposing party's position on the motion;

- c. suggest four alternative dates and times that are convenient to both parties;
and
- d. are filed at least two business days prior to the hearing.

If unforeseeable circumstances prevent a timely filing, the moving party must detail those circumstances explaining why the motion is untimely. Motions filed within 10 days of the upcoming hearing should be preceded by a call to the Court advising the Court's staff of the motion and the reason for the requested continuance.

In regard to consent motions to continue, counsel or *pro se* litigants may jointly call chambers and discuss the request with the judge's law clerk rather than file in writing.

V. DISCOVERY DISPUTES

The Court expects the parties to follow the requirements of Rules 26 and 37. Before bringing a discovery dispute to the Court's attention, the parties must attempt to confer in person and make a good faith attempt to resolve the dispute informally. If, in what should be the unusual case, the parties are unable to resolve the dispute, they shall contact chambers to arrange for a joint telephone conference call. **Before filing a motion relating to a discovery dispute, a party must obtain leave of the Court. Failure to follow these requirements may result in sanctions.** Moreover, if the Court is called upon to resolve a discovery-related motion, it may sanction the losing party pursuant to Rule 37 (a)(4).

VI. LENGTH OF MOTIONS AND MEMORANDA

In its General Order, the Court notes that, "Memoranda that exceed ten pages in length are discouraged." In addition to that recommendation, no party may submit a motion and memorandum that exceeds fifteen pages in length without leave of the Court. Leave will be granted only in extraordinary circumstances.

VII. REPLY BRIEFS

Parties who feel it is appropriate may file a reply to an opposition within five business days of the filing of an opposition brief without leave of the Court. No party may submit a reply to an opposition in excess of five pages in length or beyond five days after the opposition without leave of the Court. The Court shall strike the Reply for failure to comply with these requirements. No Motion to Strike a reply brief may be filed without leave of the Court. Further responses may not be filed without leave of the Court. Leave will be granted only in extraordinary circumstances.

VIII. JOINT PRETRIAL STATEMENT

Pursuant to Rule 16 (e), the parties must file a Joint Pretrial Statement at least one week before the pretrial conference. If a Joint Pretrial Statement is not filed in accordance with the rule, the Court may *sua sponte* cancel the Pretrial Conference and set the case for a Show Cause Hearing. Parties unable to meet and comply with Rule 16 (c) must call the Court and receive leave to file a Non-Joint Pretrial Statement.

A model Pretrial Statement is available from the Court if requested.

IX. PRETRIAL CONFERENCE

The Court uses the pretrial conference as a settlement conference and expects that the parties will discuss settlement before the hearings. In addition, the Court expects counsel to prepare for the settlement conference aspect of the pretrial conference by thoroughly discussing settlement with parties, insurance adjusters, and others and by bringing to the pretrial conference any relevant photographs, documents, or other material. At the commencement of the pretrial hearing, the Court will ask the parties (through counsel, if present) for the latest demand and offer. Those with full settlement authority must be present and must participate.

X. TRIAL STATUS UPDATE

On the Wednesday preceding a trial date, the parties jointly or, if mutually agreed on, through one party making a joint representation, shall call chambers and inform the Court of the status of the trial. This update should include the status of any settlement discussions, an estimated length of the trial, and any issues that need to be brought to the Court's attention.

XI. TRIAL EXHIBITS

All exhibits must be pre-marked with copies and a complete exhibit list provided in advance to the opposition and the Court.

XII. TRIAL WITNESSES

The Court will not delay the proceedings to accommodate a witness' schedule, barring a documented emergency. The parties shall immediately notify the opposition and the Court of any witness-related issues.

XIII. ISSUES ARISING DURING TRIAL

During trial, any new issues that need be handled outside of the presence of the jury should be brought to the Court's attention by 8:30 a.m. via an e-mail to chambers (mottjm3@dcsc.gov and mottjm2@dcsc.gov), with a copy to the opposing party.

XIV. EMERGENCY MOTIONS

Any party filing an emergency motion (any motion which the party feels needs to be addressed on an expedited basis) should arrange for the parties to contact chambers jointly via conference call within 24 hours or the next business day of the filing of the motion.

XV. CASE STATUS CHANGES

If, prior to an upcoming hearing, the parties feel there has been a material change in the posture of a case or that a hearing would be unnecessary, the parties jointly or, if

mutually agreed on, through a party making a joint representation, shall call chambers and inform of the Court of the status change.

XVI. INTERPRETERS

The Court provides professional interpreters in all matters, when needed. The parties (through counsel, if present) must notify the Court in advance of any court hearing in which an interpreter is required. No matter how competent to translate, family members, friends, counsel, or counsel's staff may not interpret for parties or witnesses.

XVII. CHAMBERS, STAFF, AND CONTACT INFORMATION FOR CALENDAR 2

Judge:	John M. Mott
Chambers:	Room 5610 - Moultrie Building
Phone:	(202) 879-8393
Eserve address:	judgemotteserve@dcsc.gov
Judicial Admin. Assistant:	Delores Payne
Law Clerk:	Elizabeth Fletcher
Courtroom Clerk:	Stephanie Anthony
Courtroom:	517
Courtroom Phone:	(202) 879-4637

XVIII. THE WEEKLY SCHEDULE

Unless otherwise directed, matters on Calendar 2 will take place as follows:

In-court proceedings: Courtroom 517

Pretrial/Settlement Conferences: By appointment in Courtroom 517

Trials: Commencing on Mondays or Tuesdays, and continuing through Thursdays from 10:00 a.m. to 4:45 p.m., in Courtroom 517. All parties should be present in courtroom 517 by 9:45 a.m. on the first day of trial.

Scheduling Conferences, Oral examinations, Status Hearings, and Ex Parte Proof

Hearings: Fridays in Courtroom 517 from 10:00 a.m. to 11:00 a.m.